

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(al-1316)

DIOCELYN BATISTA,

Plaintiff,

Civil Action No.:
1:18-cv-07681-CM

-against-

IRON MOUNTAIN INFORMATION MANAGEMENT
SERVICES, INC. and ROBERT E. GOINS,

Defendants.

NOTICE OF MOTION

MOTION BY: Defendant Iron Mountain Information Management Services, Inc. and Robert E. Goins

SUPPORTING PAPERS: Declaration in Support of Defendants' Motion To Reconsider, dated October 11, 2022, all exhibits annexed thereto; supporting Memorandum of Law; and all prior pleadings and proceedings heretofore had herein.

**RETURN DATE,
TIME AND
PLACE:** At the United States District Court, Southern District of New York, at the Courthouse thereof, located at: 500 Pearl Street, New York, New York 10007-2550 before The Honorable Judge McMahon on a date to be determined by the Court.

RELIEF SOUGHT: An Order pursuant to Local Civil Rule 6.3 of the United States District Court for the Southern District of New York for reconsideration of the Orders dated September 27, 2022, denying Defendants' motion in limine pursuant to Federal Rules of Evidence, Federal Rules of Civil Procedure, and Local Rule 7.1, to preclude plaintiff's expert Scott Haig, M.D. from offering any testimony, reports or opinions in this matter; and denying Defendants' motion in limine pursuant to Federal Rules of Evidence, Federal Rules of Civil Procedure 26(a) and Local Rule 7.1, to preclude plaintiff's witness Ingrid Manana from offering any testimony at trial; and upon reconsideration, for the reasons set forth

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/12/2022

MEMO ENDORSED

10/12/2022

The motion insofar as it relate to Ingrid Manana is DENIED
with no need for any response. Plaintiff & expert to note
relating to Dr. Haig by 10/18/2022. Allen M. H.

in the Memorandum of Law, to grant Defendants' motions in full; and for such other and further relief as this Court may deem just and proper.

ANSWERING PAPERS: Pursuant to the Judge's Rules, answering papers, if any, are not required to be served unless specifically directed to do so by the Court.

Dated: Hauppauge, New York
October 11, 2022

Respectfully submitted,
SIMMONS JANNACE DELUCA, LLP

By: /s/ Allison C. Leibowitz
Allison C. Leibowitz
Attorneys for Defendants
IRON MOUNTAIN INFORMATION
MANAGEMENT SERVICES, INC. and
ROBERT E. GOINS
Office & P.O. Address:
43 Corporate Drive
Hauppauge, New York 11788
(631) 873-4888

TO: JenniElena Rubino, Esq.
RUBINO LAW FIRM, P.C.
Attorneys for Plaintiff
Office & P.O. Address:
P.O. Box 867
Yonkers, New York 10702
(212) 682-2375